

UNITED STATES DISTRICT COURT  
for the  
Western District of Texas

The State of Texas )  
                        )  
                        )  
                        )  
\_\_\_\_\_  
Plaintiff(s)         )  
                        )  
                        )  
                        )  
                        v.  
                        )  
                        )  
U.S. Department of Homeland Security, et al.     )  
                        )  
                        )  
                        )  
\_\_\_\_\_  
Defendant(s)         )  
                        )

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Troy A. Miller, in his official capacity as Acting Commissioner for US Customs and Border Protection  
by registered or certified mail to:  
c/o Stephanie Rico, Civil Process Clerk at  
Office of US Attorney- WD of Texas  
601 N.W. Loop 410  
San Antonio, TX 78216-5597

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Ryan D. Walters  
Office of the Attorney General  
Special Litigation Division  
PO Box 12548, Capitol Station  
Austin, TX 78711-2548  
ryan.walters@oag.texas.gov

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT, PHILIP J. DEVLIN

Date: 10/26/23



  
Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 2:23-cv-00055

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* Troy A. Miller, in his official capacity as Acting Commissioner for US Customs and Border Protection was received by me on *(date)* 10/26/23.

I personally served the summons on the individual at *(place)* c/o Stephanie Rico, Civil Process Clerk at Office of US Attorney- WD of Texas

601 N.W. Loop 410, San Antonio, TX 78216-5597 on *(date)* 10/30/23; or

I left the summons at the individual's residence or usual place of abode with *(name)* , a person of suitable age and discretion who resides there,

on (date) , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* , who is designated by law to accept service of process on behalf of *(name of organization)*

on (date) ; or

I returned the summons unexecuted because ; or

Other *(specify):*

My fees are \$                  for travel and \$                  for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 10/30/23

/s/ Ryan D. Walters

*Server's signature*

Ryan D. Walters, Chief for Special Litigation Division

*Printed name and title*

Office of the Attorney General  
PO Box 12548, Capitol Station  
Austin, TX 78711-2548

*Server's address*

Additional information regarding attempted service, etc:

On October 27, 2023, I served this summons, Plaintiff's Original Complaint, Plaintiff's Motion for Preliminary Injunction or Stay of Agency Action and Appendix, and Plaintiff's Emergency Motion for a Temporary Restraining Order or Stay of Agency Action and Appendix; via Certified Mail, Return Receipt Requested - 7004 1160 0000 7305 6280-Delivered 10/30/23.

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS; FOLD AT DOTTED LINE

**CERTIFIED MAIL**



7004 1160 0000 7305 6280  
7004 1160 0000 7305 6280  
7004 1160 0000 7305 6280  
7004 1160 0000 7305 6280  
7004 1160 0000 7305 6280  
7004 1160 0000 7305 6280

**U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

to A. Miller, in his official capacity as Acting  
Commissioner for US Customs & Border  
(En) Protection  
(Re) Stephanie Rico, Civil Process Clerk at Office  
of US Attorney- WD of Texas  
Total Postage & Fees 601 N W Loop 410  
San Antonio 78214

**Sent To**  
Street, Apt. No.;  
or PO Box No.  
City, State, ZIP+4

PS Form 3800, June 2002 See Reverse for Instructions

<b>SENDER: COMPLETE THIS SECTION</b>		<b>COMPLETE THIS SECTION ON DELIVERY</b>	
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>		<p>A. Signature</p> <p><b>X</b> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>	
<p>1. Article Addressed to:</p> <p>to A. Miller, in his official capacity as Acting Commissioner for US Customs &amp; Border (En) Protection (Re) Stephanie Rico, Civil Process Clerk at Office of US Attorney- WD of Texas 601 N.W. Loop 410 San Antonio TX 78214</p>  <p>9590 9402 6326 0296 0612 16</p> <p>2. Article Number (Transfer from service label)</p> <p>7004 1160 0000 7305 6280</p>		<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Mail Restricted Delivery</p> <p><input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input checked="" type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>	

# USPS Tracking®

[FAQs >](#)

Tracking Number:

[Remove X](#)

**70041160000073056280**

[Copy](#)

[Add to Informed Delivery \(<https://informeddelivery.usps.com/>\)](#)

## Latest Update

Your item was delivered to an individual at the address at 10:50 am on October 30, 2023 in SAN ANTONIO, TX 78216.

---

### Get More Out of USPS Tracking:

[USPS Tracking Plus®](#)

Feedback

#### **Delivered**

**Delivered, Left with Individual**

SAN ANTONIO, TX 78216  
October 30, 2023, 10:50 am

#### **Out for Delivery**

SAN ANTONIO, TX 78246  
October 30, 2023, 6:10 am

#### **Arrived at Post Office**

SAN ANTONIO, TX 78246  
October 30, 2023, 5:27 am

#### **Arrived at USPS Facility**

SAN ANTONIO, TX 78246  
October 30, 2023, 4:15 am

#### **Departed USPS Regional Facility**

SAN ANTONIO TX DISTRIBUTION CENTER  
October 30, 2023, 4:01 am

#### **Arrived at USPS Regional Facility**

SAN ANTONIO TX DISTRIBUTION CENTER  
October 30, 2023, 1:28 am

**Departed USPS Regional Facility**

SAN ANTONIO TX DISTRIBUTION CENTER ANNEX  
October 29, 2023, 11:52 pm

**Arrived at USPS Regional Facility**

SAN ANTONIO TX DISTRIBUTION CENTER ANNEX  
October 29, 2023, 7:45 pm

**In Transit to Next Facility**

October 29, 2023

**Departed USPS Regional Facility**

AUSTIN TX DISTRIBUTION CENTER  
October 28, 2023, 8:04 am

**Arrived at USPS Regional Facility**

AUSTIN TX DISTRIBUTION CENTER  
October 28, 2023, 2:05 am

[Hide Tracking History](#)

**What Do USPS Tracking Statuses Mean? (<https://faq.usps.com/s/article/Where-is-my-package>)**

**Text & Email Updates**



**USPS Tracking Plus®**



**Product Information**



**See Less ▲**

[Track Another Package](#)

Enter tracking or barcode numbers